2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Substantive matters before the Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Paper submitted by the Syrian Arab Republic

I. Non-proliferation of nuclear weapons

1. Syria was keen to be among the first States in the Middle East region to accede to the Treaty on the Non-Proliferation of Nuclear Weapons in 1968 based on its conviction that the acquisition of nuclear weapons by any State, or access to nuclear weapons by any nongovernmental entity or terrorist group, threatens regional and international security and peace. Syria has affirmed, in all international forums, its continuing commitment to its international undertakings under the Treaty, which it considers the cornerstone of the non-proliferation regime and an international reference that accords the States parties the inalienable right to acquire nuclear technology for various peaceful applications.

2. The Syrian Arab Republic recalls that the resolution to extend the Treaty indefinitely, which was adopted in the 1995 Treaty Review Conference, would not have been possible had it not been for the understanding reached at the time whereby the nuclear-weapon States committed to a review of the concerns of many States parties in the Middle East region, particularly the need to pressure the Israeli entity, which lies outside international supervision, to accede to the Treaty, place all its nuclear installations under comprehensive safeguards unconditionally and without further delay and eliminate all its military nuclear capabilities to pave the way for establishing a Middle East nuclear-weapon-free zone. However, the review has not been conducted to date.

3. The Syrian Arab Republic expresses its deep concern over the failure to achieve the objectives of the Treaty. It expresses its help that the Final Document of the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons will include serious, effective demands in respect of:

(a) Achievement of the universality of the Treaty and maintenance of the credibility of the Treaty;

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(b) The balanced treatment of issues relating to non-proliferation and full, comprehensive nuclear disarmament;

(c) Action to halt the use of double standards and the selective use of standards. Such action will protect the inalienable right of all States parties to the Treaty to the use of nuclear energy for various peaceful applications without discrimination;

(d) The immediate exertion of pressure on the Israeli entity to accede to the Treaty promptly and unconditionally as a non-nuclear-weapon Party and place all its nuclear installations under international inspection based on its compliance with the comprehensive safeguards of the International Atomic Energy Agency (IAEA); rejection of the granting of international legitimacy to the Israeli entity's nuclear military capabilities; and a demand that it comply with relevant UN resolutions, the most important being:

- The operative paragraph 5 of Security Council resolution 487 (1981), which calls upon Israel to immediately place its nuclear installations under the IAEA safeguards regime;
- The resolution adopted by the IAEA General Conference in 2009, GC (53)/RES/17 (Israeli nuclear capabilities), which expresses the IAEA's concern in respect of Israeli nuclear capabilities and calls upon Israel to accede to the Treaty; and the resolution adopted by the IAEA in 2014, GC (58)/RES/16 (Application of IAEA safeguards in the Middle East), which calls upon all States to accede to the Treaty;
- General Assembly resolution 69/78 (2014) (Risk of nuclear proliferation in the Middle East), which points to the importance of the Israeli entity's accession to the Treaty as an important measure for building confidence among all States of the region and a step towards the enhancement of peace and security;

(e) Obtainment of a commitment from the nuclear-weapon States under article I of the Treaty to refrain from transferring any nuclear weapons or other nuclear explosive devices or control thereof directly or indirectly to the Israeli entity; and to refrain from assisting, encouraging or inducing in any way the Israeli entity to manufacture or otherwise acquire or gain control of nuclear weapons or other nuclear explosive devices;

(f) Action to halt technical cooperation programmes which the IAEA provides to the Israeli entity until the latter accedes, without delay and without conditions, to the Treaty as a non-nuclear-weapon State and places all its nuclear installations under the comprehensive safeguards of the IAEA as an essential precondition for resuming technical cooperation programmes with the IAEA.

II. Nuclear disarmament

4. The Syrian Arab Republic affirms the need for the nuclear-weapon States to comply with article VI of the Treaty and the 13 points adopted in the Final Document of the 2000 Review Conference. The Syrian Arab Republic expresses its concern over the nuclear-weapon States' continued development and proliferation of nuclear warheads, which conflicts with the Treaty and United Nations General Assembly resolutions on nuclear disarmament issues, the last being General

Assembly resolution 68/35 of December 2013 (Follow-up to nuclear disarmament obligations agreed to at the 1995, 2000 and 2010 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons). Certain nuclear-weapon States continue to openly develop their nuclear weapons. In some cases, such States are acting to reduce such weapons by decommissioning them but without eliminating or destroying them, which contravenes the Treaty. It is therefore essential for such nuclear-weapon States to act immediately to halt horizontal and vertical proliferation by demonstrating an earnest political will under strict international supervision, because the continued existence of such weapons threatens international peace and security and raises the deepest concern.

5. The Syrian Arab Republic affirms the importance of serious action to negotiate the formulation of a comprehensive, non-discriminatory, multilateral and internationally and effectively verifiable treaty to eliminate the stock of nuclear weapons and fissile material and ban the production of any fissile material used in the production of nuclear weapons or other nuclear explosive devices as a primary step towards nuclear disarmament and affirmation of nuclear non-proliferation.

6. The Syrian Arab Republic calls upon all States to declare and adhere to a voluntary halt to the production of fissile material for nuclear weapons pursuant to General Assembly resolution 69/52 of December 2014 (United action towards the total elimination of nuclear weapons).

7. The Syrian Arab Republic, seeking to uphold the credibility and spirit of the Treaty, emphasizes the need for the 2015 Treaty Review Conference and its preparatory committees to examine the concerns of the non-nuclear-weapon States as expressed in their national reports.

III. The use of nuclear energy for peaceful purposes

8. The Syrian Arab Republic affirms the need to enforce article IV of the Treaty in a balanced, non-selective manner. That article accords all States parties the inalienable right to obtain nuclear technology for various peaceful applications in health, industry, agriculture, economic development and scientific research. The Syrian Arab Republic supports the inclusion of this right in the Final Document of the current preparatory session to preclude any new interpretations that may conflict with the spirit of the Treaty and undermine its credibility.

9. The Syrian Arab Republic reaffirms the need to uphold the primary role of the IAEA as provided in its Statute, which is to promote the use of nuclear technology, facilitate the interchange of information, equipment, materials and scientific services, encourage and assist the States parties in conducting scientific research for peaceful purposes and provide them with technical assistance. The Syrian Arab Republic stresses the need to avoid placing any political, economic or military restrictions or any other conditions that conflict with the Statute of the IAEA on the cooperation and technical assistance provided by the IAEA to States parties, particularly developing States.

10. The Syrian Arab Republic affirms the need to achieve a just equilibrium between the IAEA's verification activities and its activities concerning the dissemination of nuclear technology and applications in order to uphold the provisions of article III of the Treaty. Article III affirms the close relationship

between verification issues under IAEA comprehensive safeguards agreements and the peaceful use of nuclear energy. It requires that safeguards agreement concluded with a State party comply with article IV of the Treaty and avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities.

11. The Syrian Arab Republic supports the IAEA and its mandate to discharge its assigned functions within the three main areas of the Treaty, namely non-proliferation, nuclear disarmament, and the use of nuclear energy for peaceful purposes.

IV. Comprehensive safeguards agreement

12. The Syrian Arab Republic affirms that it complies fully with the provisions of the Comprehensive Safeguards Agreement which it concluded with the IAEA in 1992 under the Treaty. Under that agreement, Syria established a national system for accounting for and monitoring nuclear material as well as the groundwork and facilities needed to ensure the ability of IAEA inspectors to engage effectively under the agreement since that date.

13. The Syrian Arab Republic affirms the importance of the comprehensive safeguards agreements. It urges all States that have not yet concluded such an agreement to do so promptly to achieve the universality of comprehensive safeguards, which the 2000 Treaty Review Conference sets forth as a primary objective for consolidating and strengthening the verification activities in the non-proliferation regime.

14. The Syrian Arab Republic is of the opinion that additional safeguard measures should not affect the rights of non-nuclear-weapon States parties that have in fact complied with the nuclear non-proliferation standards. The Syrian Arab Republic strongly rejects attempts by any member State to use the IAEA technical cooperation programme to achieve political ends in contravention of the Statute of the IAEA.

15. The Syrian Arab Republic affirms that the IAEA alone is authorized to verify and ensure the compliance of the States parties with the safeguards agreements concluded with them. The Syrian Arab Republic believes that the IAEA must apply its verification regimes to all member States without exception or discrimination as stipulated by the Statute of the IAEA. The IAEA must rely — when evaluating the results of verification activities — on documented, confirmed information to the exclusion of open sources, presumptive information, intelligence information and the like to maintain the Agency's neutrality, credibility and professionalism.

16. The Syrian Arab Republic affirms the need for the IAEA to safeguard the confidentiality of all information which it collects during its inspections in, or receives from, a State.

17. The Syrian Arab Republic condemns American-Israeli cooperation, which represents a failure by the United States to comply with its obligations under articles I and II of the Treaty. The secret nuclear assistance which the American Government provides to the Israeli entity is a source of serious concern, not only for the States of the Middle East region, but also for all States parties to the Treaty. It violates international obligations under article I of the Treaty and does not comply with article III, paragraph (2) of the Treaty, under which a State party to the Treaty

may cooperate in providing equipment or materials for peaceful purposes only if such materials are subject to safeguards under the Treaty. The United States' contravention of its obligations truly threatens international and regional peace and security. Therefore, we hope that the Final Document of the 2015 Review Conference of the States parties will include a resolution that forcefully calls for the banning and halting of such cases of non-compliance and the legal sanctioning of the noncompliant parties according to the policy of balance and non-selectivity to preserve the credibility of the Treaty.

18. The Syrian Arab Republic calls upon all States that are not parties to the Treaty to accede to the Treaty as non-nuclear-weapon States unconditionally and without further delay and to place all their nuclear facilities under the comprehensive safeguards of the IAEA according to the Statute of the IAEA to ensure achievement of the primary objective of verifying the nuclear-weapon States' fulfilment of their obligations under the Treaty.

19. The Syrian Arab Republic affirms the need to maintain a distinction between the legal obligations of the States parties and voluntary, confidence-building measures, as provided in the Final Document of the last Treaty Review Conference held in New York in May 2010. That document stresses that the conclusion of an additional protocol is voluntary. Thus, all States must avoid unjustified confusion between voluntary and mandatory measures to ensure the credibility of international resolutions and preclude the conversion of voluntary commitments into commitments involving mandatory safeguards.

V. Middle East nuclear-weapons-free zone

20. The Syrian Arab Republic affirms that the establishment of a Middle East nuclear-weapon-free zone is an important disarmament measure that would strengthen the non-proliferation regime, help consolidate peace and security regionally and internationally and preserve the credibility of the Treaty.

21. The Syrian Arab Republic believes that the establishment of regional nuclear-weapon-free zones is a positive step and an effective contribution to the achievement of the objectives of nuclear non-proliferation and disarmament as a prelude to creating a safe, stable world. The Syrian Arab Republic looks to the international community to adopt practical, effective steps to establish a Middle East nuclear-weapon-free zone without further delay.

22. The Syrian Arab Republic has acted in various Arab and international forums to establish a Middle East zone free of weapons of mass destruction, particularly nuclear weapons. In April 2003, it submitted, on behalf of the Group of Arab States, an initiative to the Security Council in New York to eliminate weapons of mass destruction, particularly nuclear weapons, from the Middle East. At that time, the Syrian Arab Republic declared to the international community that it would collaborate with fraternal Arab States and peace-loving countries of the world to effectively transform the Middle East into a weapons-of-mass-destruction-free zone. However, the positions of certain influential States on the Security Council impeded that initiative, which the Syrian Arab Republic resubmitted to the Security Council in December 2003. The Syrian Arab Republic continues to seek to revive and implement the initiative.

23. The Syrian Arab Republic sees a need to pressure the Israeli entity to accede to the Treaty and to subject all its nuclear installations to IAEA inspection. The Israeli entity disregards all relevant resolutions of the United Nations Security Council and General Assembly, the last being General Assembly resolution 69/29 of December 2014 (Establishment of a nuclear-weapon-free zone in the region of the Middle East) and General Assembly resolution 69/78 of December 2014 (The risk of nuclear proliferation in the Middle East). Moreover, the Israeli entity disregards resolutions of the IAEA and Treaty Review Conferences, thwarting efforts to establish a Middle East nuclear-weapon-free zone.

24. In this context, the Syrian Arab Republic affirms the need to not in any way link the establishment of a Middle East nuclear-weapon-free zone to the peace process in the region. It reiterates that any reference to the defining of the countries of the Middle East region for this purpose in no way constitutes a definition of the Middle East region but rather serves solely for the purposes of the 2015 Treaty Review Conference and its preparatory committees.

VI. 2012 international conference concerned with implementing the Resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty

25. The Syrian Arab Republic again calls for the full implementation of the 1995 Resolution on the Middle East. That resolution, which is an integral part of a package that includes one decision and three resolutions adopted without a vote, contributed to the indefinite extension of the Treaty in 1995. That extension would not have been adopted had it not been for the commitments assumed by certain influential States in the Security Council to examine the concerns of the States, particularly the developing States. However, unfortunately, these concerns were not examined and the 1995 resolution was not implemented. It is thus necessary to honour the Final Document of the 2000 Treaty Review Conference, which affirms that the 1995 Resolution on the Middle East will remain valid until its goals and objectives are achieved.

26. The Syrian Arab Republic expresses its regret over the failure to convene the 2012 international conference adopted in the Final Document of the 2010 Treaty Review Conference. That conference was intended to address the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East with the attendance of all States of the Middle East. At that time, the Syrian Arab Republic welcomed the hosting of the conference, anticipated in 2012, by the Government of Finland. It cooperated with Mr. Jaakko Laajava, the facilitator assigned to coordinate the conference according to his mandate as adopted in the Final Document of the 2010 Treaty Review Conference.

27. The failure to convene in 2012 a conference on the establishment a Middle East nuclear-weapon-free zone, as called for by the 2010 Treaty Review Conference, was caused by the rejection by Israel and the United States of all invitations to participate in the conference, which affected the credibility of the relevant authoritative international resolutions. Israel's refusal merely to participate in the conference accords with its policy of systematically rejecting authoritative

international resolutions and affirms its lack of seriousness or a sincere desire to establish the zone.

28. The failure to hold the 2012 conference on the establishment of a Middle East nuclear-weapon-free zone reaffirms the responsibility of the Security Council to pressure Israel to: establish such a zone, especially as the Treaty depositary States enjoy permanent Security Council membership; accede to the Treaty; eliminate its nuclear arsenal and the means for delivering it; and place all its nuclear activities under a comprehensive safeguards agreement with the IAEA according to Security Council resolution 487 (1980).

29. The Syrian Arab Republic believes that the success of the 2015 Treaty Review Conference will depend primarily on the full implementation of the Resolution on the Middle East adopted by the 1995 Treaty Review and Extension Conference. It will also depend on all concerned parties fully undertaking to establish a zone in the Middle East that is free of nuclear weapons and all weapons of mass destruction. Otherwise, the credibility of the entire Treaty will be compromised.

VII. Negative security assurances

30. The Syrian Arab Republic affirms that only the complete elimination of all nuclear weapons can provide an absolute guarantee against the use or threat of use of nuclear weapons and that the indefinite extension adopted in 1995 does not in any way imply that the nuclear-weapon States will retain their nuclear arsenals indefinitely, which would be inconsistent with the safety and sustainability of the nuclear non-proliferation regime vertically and horizontally and with the objective of maintaining regional and international security and stability.

31. The Syrian Arab Republic believes that the Final Document of the 2015 Treaty Review Conference must include effective international arrangements for arriving at a legally binding international-security-assurances instrument under which the nuclear-weapon States would commit to providing unconditional security assurances to the non-nuclear-weapon Parties to the Treaty not to use or threaten to use nuclear weapons against them pursuant to United Nations General Assembly resolution 69/30 of December 2014 (Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons).

32. The Syrian Arab Republic again calls for the establishment of a working group to monitor the five nuclear-weapon States' provision of legally binding negative security assurances to the non-nuclear-weapon States parties to the Treaty in preparation for arriving at an international instrument that bans the use or threat of use of nuclear weapons under any circumstances pursuant to United Nations General Assembly resolution 68/58 of December 2013 (Convention on the Prohibition of the Use of Nuclear Weapons).

VIII. Illegal trafficking of radioactive and nuclear materials

33. The Syrian Arab Republic conducts, pursuant to its national legislation and regulations, the close monitoring of land, sea and air border crossings to combat illegal trafficking in radioactive nuclear materials.

34. The Syrian Arab Republic scrupulously upholds all of its relevant international commitments. It participates effectively in the review of a number of relevant international conventions and instruments and seeks to continue to strengthen its national legislative frameworks in this regard. The Syrian Arab Republic applies the IAEA's Code of Conduct on the Safety and Security of Radioactive Sources. It participates actively in a number of meetings concerning the development of guidelines for the importation and exportation of radioactive sources.

IX. Withdrawal from the Treaty

35. The Syrian Arab Republic believes that withdrawal from the Treaty is a sensitive issue and must be accorded serious attention, because any proposal to amend article X of the Treaty would deprive the Treaty of its credibility and destroy the entire non-proliferation regime unless all States parties explicitly declare their intent to comply mandatorily with and ratify any new amendment. Otherwise, any such amendment would have no basis in international law.

36. The Syrian Arab Republic calls upon the States parties to focus on the main priorities of the Treaty — such as achieving the universality of the Treaty, completely eliminating thousands of nuclear warheads and halting the production of most advanced weapons that threaten humanity — before taking up the matter of article X, because, if the community gives priority and serious concern to such priorities, no State would consider withdrawing from the Treaty, which is supposed to regulate disarmament and non-proliferation issues and peaceful uses in a fair, balanced manner.